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The Honorable Lois Bloom
United States Magistrate Judge
United States District Court
Eastern District of New York

Re: *The John Hancock Life Ins. Co. (U.S.A.) v. Klein*
Case No. 11-cv-02363

Dear Magistrate Judge Bloom:

Your Honor extended the time by which the parties were to file the stipulation discontinuing this case to yesterday. While my clients did sign a settlement agreement, Plaintiff's counsel and I worked until after 10:00 last night working-out some final details and we were unable to meet Your Honor's ordered deadline.

I respectfully submit that I fully intended to file the stipulation yesterday and that an unexpected matter thwarted my efforts. I apologize to Your Honor and I would certainly have filed this letter of explanation, had I had the ability to do so from my home.

I telephoned Plaintiff's counsel an hour ago and I await his call back. I believe the Stipulation will be filed by late this afternoon. I pray Your Honor will pardon us.

Respectfully submitted,

s/

Marino A. Fernández, Jr.

cc: Motty Shulman, Esq.